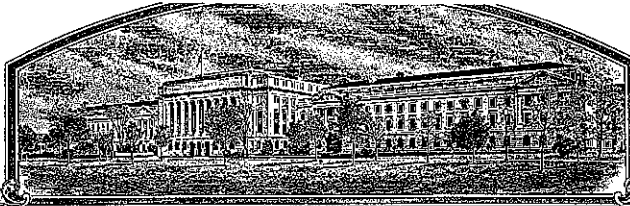


No.

9900124



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

*Bush Agricultural Resources, Inc.*

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

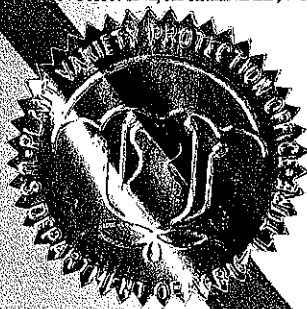
AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED, AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE VARIETY. (34 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BARLEY

'B1614ml'

*In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twelfth day of September, in the year two thousand one.*



Attest:

*Paul M. Zumbardo*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*W. H. H. H. H.*

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

## APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
BUSCH AGRICULTURAL RESOURCES, INC.		B1614m1	B1614mc
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)		5. TELEPHONE (include area code)	FOR OFFICIAL USE ONLY PVPO NUMBER
3515 EAST COUNTY ROAD 52 FORT COLLINS COLORADO 80524 USA		970 221 5622	
6. FAX (include area code)		DATE	
		12-31-1998	
7. GENUS AND SPECIES NAME	8. FAMILY NAME (Botanical)	FILING AND EXAMINATION FEE:	
Hordeum vulgare L.	Graminea	FEE \$ 2450.00	
9. CROP KIND NAME (Common name)		DATE	
SPRING BARLEY		12-31-98	
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)		CERTIFICATION FEE:	
CORPORATION		FEE \$ 320.00	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		DATE	
DELAWARE		8/31/01	
12. DATE OF INCORPORATION		14. TELEPHONE (include area code)	
01-01-1981		314-909-3970	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS		15. FAX (include area code)	
JOSEPH T. GLASER BUSCH AGRICULTURAL RESOURCES, INC. 3515 EAST COUNTY ROAD 52 FORT COLLINS COLORADO 80524 USA		970 221 5622	
THOMAS M. WOOD Busch Agricultural Resources, Inc. 10733 Sunset Office Drive St. Louis MO 63127		970 472 2334	
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety			
b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness			
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety			
d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)			
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership			
f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)			
g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)			
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)			
<input checked="" type="checkbox"/> YES (If "yes," answer items 18 and 19 below) <input checked="" type="checkbox"/> NO (If "no," go to item 20)			
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?		19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?			
<input type="checkbox"/> YES (If "yes," give names of countries and dates) <input checked="" type="checkbox"/> NO			
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.			
The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.			
Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF APPLICANT (Owner(s))		SIGNATURE OF APPLICANT (Owner(s))	
JOSEPH T. GLASER			
NAME (Please print or type)		NAME (Please print or type)	
JOSEPH T. GLASER			
CAPACITY OR TITLE	DATE	CAPACITY OR TITLE	DATE
ASSOCIATE PLANT BREEDER, PURITY AND MULTIPLICATION	12/22/98		

**Exhibit A (revised)****Origin and Breeding History of B1614ml**

Pedigree: Induced mutagenesis of six-row malting barley B1614

History:

The use of mutagenesis in the improvement of barley is often an effective method to correct a defect in an otherwise acceptable and well-adapted variety. In the case of B1614, susceptibility to powdery mildew (*Erysiphe graminis* f. sp. *hordei*) was a limiting factor for this variety. In March 1993, approximately 1.0 kilogram of six-row malting barley B1614 (PVP 9100117) was subjected to a mutagenic treatment of Sodium Azide (N<sub>3</sub> Na).

The resulting M1 seed was field planted in isolation during April 1993. Germination vigor appeared to be reduced due to the mutagen, as well as the observation of several plants exhibiting lethal gene combinations. Those plants were removed from the population through the natural death of the plant prior to anthesis. Three thousand resulting M2 plants were grown in a disease screening greenhouse in December 1993 and subjected to a strong infection of powdery mildew through artificial inoculation. Only 1 plant survived the disease screening and was transplanted to an isolated field to complete its life cycle.

In November 1994, the progeny of that 1 surviving plant was increased in a greenhouse and subsequently hybridized with variety B1614 in January 1995. The resulting F1 plants were increased in a greenhouse and backcrossed to variety B1614 in May 1995. In June 1995, F1 seeds from 8 backcrosses were greenhouse increased and harvested to produce 8 F2 populations. Those 8 F2 populations were subjected to the powdery mildew screening greenhouse in October 1995 with 1 population being selected based on resistance to powdery mildew. From that 1 population, 4 plants were selected.

Twenty F3 rows (5 rows per selected plant) were evaluated in Northern France in March 1996 under natural powdery mildew infection conditions. All 20 rows showed good resistance to the natural infection and the 5 rows from each plant were bulked to form 4 different F4 populations. The four F4 populations were planted as plots in September 1996 in Argentina with one of the populations being discarded. The 3 remaining populations were rouged with 10% rejection, after which 100 spikes of each population were harvested, with the remainder of each plot bulked for a yield trial seed source. Yield trials were conducted in 1997 and 1998 during the respective growing seasons in Spain, France and Argentina.

One hundred F5 headrows of the 3 populations were grown in Fort Collins Colorado with 1 population of the 3 being selected. From that selected population, 8 of 100 headrows were selected and harvested as individual rows.

B1614ml is uniform and stable for the last 2 generations with less than 1 per 1000 variants (slightly taller plants) or off-types being detected. Purification of B1614ml was initiated in 1998 with ninety-six F6 headrows -- composed of 12 rows from each of the 8 selected rows of 1997 -- planted in Fort Collins. From those 96 headrows, 90 rows were selected and bulked to produce 1999 breeder seed. Certified seed will be available in the year 2001.

**Statement of Distinctness**

B1614ml is most similar to the spring barley variety "B1614", however it can be distinguished by the following characteristics.

- B1614ml has a V-shaped collar.  
B1614 has a closed collar.
- B1614ml has a parallel head shape.  
B1614 has a strap head shape.
- B1614ml shows a slight crease at the base of the lemma.  
B1614 has a transverse crease at the base of the lemma.
- B1614ml shows more resistance to powdery mildew (*Erysiphe graminis* f. sp. *hordei*)  
B1614 shows less resistance to powdery mildew (*Erysiphe graminis* f. sp. *hordei*)

**Statistical Table for Powdery Mildew Resistance**  
(*Erysiphe graminis* f. sp. *hordei*)

<u>Variety</u>	Reaction * <u>1 = resistant, 9 = susceptible</u>	<u>sd</u>
B1614ml	2.65	0.99
B1614	3.92	1.09

\* Results of 12 paired tests. Likelihood for the 2 varieties to have no difference is less than 0.001

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK AND SEED DIVISION  
BELTSVILLE, MARYLAND 20705

EXHIBIT C  
(Barley)

OBJECTIVE DESCRIPTION OF VARIETY  
BARLEY (*HORDEUM VULGARE*)

INSTRUCTIONS: See Reverse

NAME OF APPLICANT(s)

BUSCH AGRICULTURAL RESOURCES, INC.

FOR OFFICIAL USE ONLY

PVPO NUMBER

9900124

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

3515 EAST COUNTY ROAD 52  
FT. COLLINS, CO 80524 USA

VARIETY NAME OR TEMPORARY  
DESIGNATION

B1614 m1

Place the appropriate number that describes the varietal character of this variety in the boxes below.  
Place a zero in first box (i.e. 089 or 09) when number is either 99 or less or 9 or less.

## 1. GROWTH HABIT:

1 1=SPRING 2=FACULATIVE WINTER 3=WINTER 3 Early Growth: 1=PROSTRATE 2=SEMI-PROSTRATE  
3=ERECT

## 2. MATURITY (50%) Flowering):

2 1=EARLY (California Mariout) 2=MIDSEASON (Betzes) 3=LATE (Frontier)

No. of days Earlier than .....  1=BETZES 2=CALIFORNIA MARIOUT 3=CONQUEST 4=DICKSON

2 No. of days Later than ..... 8 5=PIROLINE 6=PRIMUS 7=UNITAN 8=MOREX

## 3. PLANT HEIGHT (From soil level to top of head):

3 1=SEMI-DWARF 2=SHORT (California Mariout) 3=MEDIUM TALL (Betzes) 4=TALL (Conquest)

0 4 Cm. Shorter than ..... 8 1=BETZES 2=CALIFORNIA MARIOUT 3=CONQUEST 4=DICKSON

Cm. Taller than .....  5=PIROLINE 6=PRIMUS 7=UNITAN 8=MOREX

## 4. STEM:

2 Exertion (Flag to spike at maturity): 1 = 0 - 3 cm. 2 = 3 - 10 cm.  
3 = 10 - 15 cm.

1 Anthocyanin: 1=ABSENT 2=PRESENT

0 5 NO. OF NODES (Originating from node above ground)

2 Collar Shape: 1=CLOSED 2=V-SHAPED 3=OPEN  
4=MODIFIED CLOSED OR OPEN

3 Shape of Neck: 1=STRAIGHT 2=SNAKY  
3=OTHER (Specify) SLIGHTLY SNAKY

## 5. LEAF:

1 Basal leaf sheath (seedling): 1=GLABROUS 2=PUBESCENT

2 Position of flag leaf (at boot stage): 1=DROOPING  
2=UPRIGHT

2 Waxiness: 1=ABSENT (Glossy) 2=SLIGHTLY WAXY  
3=WAXY

3 0 MM. WIDTH (First leaf below flag leaf)

2 3 CM. LENGTH (First leaf below flag leaf)

1 Anthocyanin in leaf sheath: 1=ABSENT 2=PRESENT

## 6. HEAD:

2 Type: 1=TWO-ROWED 2=SIX-ROWED

4 Density: 1=LAX 2=ERECT (Not dense)  
3=ERECT (Dense) (mid-lax) From Ex. D

4 Shape: 1=TAPERING 2=STRAP 3=CLAVATE  
4=OTHER (Specify) PARALLEL

2 Waxiness: 1=ABSENT (Glossy) 2=SLIGHTLY WAXY  
3=WAXY

3 Lateral Kernels Overlap: 1=NONE 2=AT TIP  
3=1/4 - 1/2 OF HEAD

3 Rachis (Hair on edge): 1=LACKING 2=FEW 3=COVERED

## GLUME:

3 Length: 1=1/3 OF LEMMA 2=1/2 OF LEMMA  
3=MORE THAN 1/2 OF LEMMA

2 Hairs: 1=NONE 2=SHORT 3=LONG

4 Hair covering: 1=NONE 2=RESTRICTED TO MIDDLE 3=CONFINED TO BAND 4=COMPLETELY COVERED

3 Awns: 1=LESS THAN EQUAL TO LENGTH OF GLUMES 2=EQUAL TO LENGTH OF GLUMES  
3=MORE THAN EQUAL TO LENGTH OF GLUMES

3 Awn Surface: 1=SMOOTH 2=SEMISMOOTH 3=ROUGH

## 8. LEMMA:

- ☐ 5 Awn: 1=AWNLESS 2=AWNLETS ON CENTRAL ROWS, AWNLESS ON LATERAL ROWS  
3=SHORT ON CENTRAL ROWS, AWNLETS ON LATERAL ROWS 4=SHORT (less than equal to length of spike)  
5=LONG (longer than spike) 6=HOODED
- ☐ 4 Awn Surface: 1=AWNLESS 2=SMOOTH 3=SEMISMOOTH 4=ROUGH
- ☐ 3 Teeth: 1=ABSENT 2=FEW 3=NUMEROUS ☐ 1 Hair: 1=ABSENT 2=PRESENT
- ☐ 2 Shape of Base: 1=DEPRESSION 2=SLIGHT CREASE 3=TRANSVERSE CREASE ☐ 1 Rachilla Hairs: 1=SHORT 2=LONG

## 9. STIGMA:

- ☐ 2 Hairs: 1=FEW 2=MANY

## 10. SEED:

- ☐ 2 Type: 1=NAKED 2=COVERED ☐ 1 Hairs on Ventral Furrow: 1=ABSENT 2=PRESENT
- ☐ 4 Length: 1=SHORT (8.0 mm.) 2=SHORT TO MIDLONG (7.5-9.0 mm.) 3=MIDLONG (8.5-9.5 mm.)  
4=MIDLONG TO LONG (9.0-10.5 mm.) 5=LONG (10.0 mm.)
- ☐ 2 Wrinkling of Hull: 1=NAKED 2=SLIGHTLY WRINKLED 3=SEMIWRINKLED 4=WRINKLED
- ☐ 1 Aleurone Color: 1=COLORLESS (White or Yellow) 2=BLUE
- ☐ 0 ☐ 1 PERCENT ABORTIVE ☐ 4 ☐ 4 GMS. PER 1000 SEEDS

## 11. DISEASE: (0=Not Tested, 1=Susceptible, 2=Resistant)

- ☐ 0 SEPTORIA ☐ 0 NET BLOTCH ☐ 0 SPOT BLOTCH ☐ 2 POWDERY MILDEW
- ☐ 0 LOOSE SMUT ☐ 0 BACTERIAL BLIGHT ☐ 0 COVERED SMUT ☐ 0 FALSE LOOSE SMUT
- ☐ 0 STEM RUST ☐ 0 LEAF RUST ☐ 0 SCAB ☐ 0 SCALD
- ☐ 0 AY ☐ 0 BSMV ☐ 0 BYDV ☐ OTHER (Specify)

## 12. INSECT: (0=Not Tested, 1=Susceptible, 2=Resistant)

- ☐ 0 GREEN BUG ☐ 0 ENGLISH GRAIN APHID ☐ 0 CHINCH BUG ☐ 0 ARMYWORM
- ☐ 0 GRASS HOPPERS ☐ 0 CERIAL LEAF BEETLE ☐ OTHER (Specify):
- HESSIAN FLY RACES ☐ 0 GP ☐ 0 A ☐ 0 B ☐ 0 C
- ☐ 0 D ☐ 0 E ☐ 0 F ☐ 0 D

## 13. CHEMICAL: (0=Not Tested, 1=Susceptible, 2=Resistant)

- ☐ 0 DDT ☐ 0 OTHER (Specify):

## 14. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	B1614	Seed size	B1614
Leaf size	B1614	Coleoptile elongation	B1614
Leaf color	B1614	Seedling pigmentation	B1614
Leaf carriage	B1614		

REFERENCES: The following publications may be used as a reference aid for the standardization of character descriptions and terms used in this form:

1. Wiebe, G.A., and D.A. Reid, 1961, Classification of Barley Varieties Grown in the United States and Canada in 1958, Technical Bulletin No. 1224, U.S. Dept. of Agriculture.
2. Reid, D.A., and G.A. Wiebe, 1968, Barley: Origin, Botany, Culture, Winter Hardiness, Genetics, Utilization, Pests, Agriculture Handbook No. 338, U.S. Dept. of Agriculture. pp. 61-84.
3. Malting Barley Improvement Association, Milwaukee, Wisconsin, 1971, Barley Variety Dictionary.

COLOR: Nickerson's or any recognized color fan may be used to determine color of the described variety.

9900124

9900124

**Exhibit D****Botanical Description of B1614ml**

B1614ml is a six-row, mid-season spring barley bred and developed by Busch Agricultural Resources, Incorporated Ft. Collins, Colorado. It has good malting quality.

Juvenile growth habit is erect. Plant color at boot is green with an upright flag leaf. Head shape is parallel and mid-lax in density with a nodding head type. Neck is slightly snakey with a v-shaped collar. First rachis segment is slightly bent back. Base of the first segment is a margin flange. Rachis shape is plain with short hairs on the margins. Glume length is one-half the length of the kernel and glume hair is short completely covering the outer surface. The glume awns are rough and longer than the length of the glume. Lemma awns are rough and longer than the length of the spike. Lemma teeth are frequent. Lemma hair is absent and the base is a depression, showing a tendency to crease. Seed is covered, mid-long to long, finely wrinkled with wax slightly present. Aleurone is colorless. Palea tips are long. Rachilla length is one-half the length of the kernel with sparse short hairs all over. Ventral crease is wide lacking crease hairs and fence hairs.

B1614ml is a traditional upper midwest United States variety adapted to areas where powdery mildew (*Erysiphe graminis* f. sp. *hordei*) is prevalent such as Spain, France, and Argentina.

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) BUSCH AGRICULTURAL RESOURCES, INC.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER B1614m1	3. VARIETY NAME
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 3515 EAST COUNTY ROAD 52 FORT COLLINS COLORADO 80524	5. TELEPHONE (include area code) 970 221 5622	6. FAX (include area code) 970 472 2334
	7. PVPO NUMBER 9900124	
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
10. Is the applicant the original breeder? If no, please answer the following: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country  b. If original rights to variety were owned by a company: Is the original breeder(s) U.S. based company? If no, give name of country  11. Additional explanation on ownership (If needed, use reverse for extra space):		

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.



**Statement of the Basis of Applicant's Ownership**

Busch Agricultural Resources, Incorporated is the applicant for protection in this case being:

- a.) The incorporated business registered in Delaware for and within regular employees have bred B1614ml.
- b.) The proprietary owner and intending commercial seller of B1614ml.